

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): RIETHMULLER-WINZEN et al.

Appl. No.: 09 666,146

Series Code ↑

Serial No. ↑

Filed: September 21, 2000

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Group Art Unit: 1617

Examiner: San-Ming Hui

Atty. Dkt. P 268411 96/16 PH/Ba

M#

Client Ref

Appl. Title: METHOD FOR THE THERAPEUTIC
MANAGEMENT OF EXTRAUTERINE

RECEIVED

JUN 08 2001

Date: June 5, 2001

TECH CENTER 1600/2900

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	27	**minus 27	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	2	***minus 3	0	x \$80/\$40 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)	add			+ \$270/\$135 =	+ \$0	104/204
5. Original due Date: May 5, 2001	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =	+ \$110			115/215
	(2 mos)	\$390/\$195 =				116/216
	(3 mos)	\$890/\$445 =				117/217
	(Usable only for ≤ 2mo.OA --- 4 mos)	\$1390/\$695 =				118/218
	(Usable only for 30 day/1mo.OA --- 5 mos)	\$1890/\$945 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract	- \$0					
8.	Extension Fee Attached			+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee	+ \$110/\$55			+ \$0	148/248	
10. If IDS attached requires Official Fee under Rule 97 (c),	+ \$180			+ \$0	126	
or if Rule 97(d) Request	+ \$180			+ \$0	126	
11. After-Final Request Fee per rules 129(a) and 17(r)	+ \$710/355			+ \$0	146/246	
12. No. of additional inventions for examination per Rule 129(b).....	x \$710/355 ea			+ \$0	149/249	
13. Request for Continued Examination (RCE)	+ \$710/355			+ \$0	1179/1279	
14. Petition fee for				+ \$0		
15.	TOTAL FEE ENCLOSED =			\$110		

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 11468 268411

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

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Intellectual Property Group

By Atty: Blair E. Taylor

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

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In re Application of

RIETHMULLER-WINZEN et al.

Appln. No. 09/666,146

Filed: September 21, 2000



Group Art Unit 1617

Examiner: San-ming Hui

TECH CENTER 1600/2900

#5
JRH
6/28/01

FOR: METHOD FOR THE THERAPEUTIC MANAGEMENT OF
EXTRAUTERINE PROLIFERATION OF ENDOMETRIAL TISSUE...

* * * * *

June 5, 2001

**RESPONSE TO RESTRICTION REQUIREMENT
AND INFORMATION DISCLOSURE STATEMENT**

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement set forth in the
communication mailed April 5, 2001, Applicants elect Group I, drawn to claims
1-13 for prosecution on the merits.

Group I is directed to a method of treating a patient having extrauterine
proliferation of endometrial tissue, chronic pelvic pain, and/or fallopian tube
obstruction using a composition having an LHRH antagonist, the subject of
claims 14-27 which were segregated into Group II.

The Examiner has also required an election of species, which Applicants
traverse. The inventive process for treating a gynecological malady comprises
treating a patient with an LHRH antagonist alone, or in combination with a sex
hormone, an anti-inflammatory agent or an analgesic. The combination

therapies are directed to restoration of hormone levels after treatment of the patient with an LHRH antagonist, while controlling pain associated therewith.

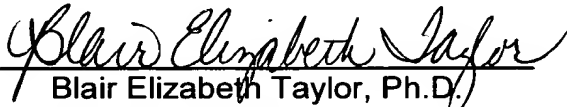
The method of Group I can be searched and examined concurrently with the compounds claimed without undue burden on the Examiner. Furthermore, it is inappropriate for the Examiner to parse the claims into individual gynecological disorders, as all are related insofar as they are hormone-sensitive abnormalities of the female reproductive tract responsible for ovulation and menstrual cycling.

An Information Disclosure Statement (IDS) and PTO form 1449 is enclosed herewith. The listed documents were first cited in the attached International Search Report issued in a counterpart foreign application within the last three months, as per Rule 97(e). This Information Disclosure Statement is intended to be in full compliance with the Rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicants to comply fully. Consideration of the foregoing enclosures plus the return of a copy of the PTO-Form 1449 filed herewith with the Examiner's initials in the left column as per MPEP § 609 is respectfully requested.

An early action on the merits and allowance is respectfully requested.
Should questions related to patentability arise, the Examiner is invited to
telephone the undersigned to discuss the same.

Respectfully Submitted

PILLSBURY WINTHROP LLP

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